



BOX AF
EXPEDITED PROCEDURE
GROUP ART UNIT 2876

Attorney Docket No.: 3126-172

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : CHEN
Application No. : 10/766,829
Filed : January 30, 2004
Title : MEMORY CARD STRUCTURE
Group Art Unit : 2876
Examiner : A. Taylor
Docket No. : 3126-172

MAIL STOP AF
Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND
INTERFERENCES UNDER 35 U.S.C. §134 AND 37 CFR §1.191**

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 21, 2005, of the Primary Examiner rejecting **Claims 3 and 4**.

1. The appealed claims identified above have been **given a Final Rejection (37 CFR §1.116)**.

2. The period for response elapses **October 21, 2005** by virtue of being extended a total of three (3) months pursuant to 37 CFR §1.136(a) by a Petition for a Three-Month Extension of Time filed herewith along with **authorization to charge Deposit Account No. 501874 in the amount of \$510** to cover the extension fee.

Application No. 09/709,452

3. The Notice of Appeal fee of \$250.00 as set forth in 37 CFR §1.17(e) for a small entity is enclosed.

4. The Commissioner is hereby authorized to charge any additional fees which may be required for the filing of this Amendment to **Deposit Account No. 501874**.

Respectfully submitted,

Date: October 21, 2005

By:

Bruce H. Troxell
Bruce H. Troxell
Reg. No. 26,592

TROXELL LAW OFFICE PLLC
5205 Leesburg Pike, Suite 1404
Falls Church, Virginia 22041
Telephone: (703) 575-2711
Telefax: (703) 575-2707